

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE: ) CHAPTER 13  
KENNETH ALAN WILLIAMS ) CASE NUMBER A17-68372-WLH  
 )  
DEBTOR )

**MOTION TO DISMISS**

COMES NOW Nancy J. Whaley, Standing Chapter 13 Trustee, in the above styled case, and respectfully shows the Court as follows:

1.

Debtor filed a petition for relief under Chapter 13 of Title 11.

2.

Debtor has failed to tender all plan payments due in accordance with the confirmed plan. As of 8/9/2018 the Trustee received a total of \$6,119.00. The Trustee's records indicate the amount delinquent is \$5,250.00. A receipt history is attached and marked exhibit A.

Wherefore, the Trustee prays that this case be dismissed or in alternative that the Debtor proposes a modification to meet the requirements of the confirmed plan that ensures that the plan is completed within the allowable time.

This the 13th day of August, 2018.

/s/ \_\_\_\_\_

Ryan J. Williams  
Attorney for the Chapter 13 Trustee  
State Bar No. 940874  
303 Peachtree Center Avenue, NE  
Suite 120  
Atlanta, GA 30303  
678-992-1201

**EXHIBIT "A"**

CASE NO: A17-68372-WLH  
KENNETH ALAN WILLIAMS

08/09/2018

**RECEIPT HISTORY OVER THE LAST 12 MONTHS**

<u>DATE</u>	<u>TYPE</u>	<u>SOURCE</u>	<u>AMOUNT</u>
July 23, 2018	EPAYNSF	5079268000	(\$5,250.00)
July 23, 2018	EPAYNSF	5079268002	(\$250.00)
July 18, 2018	EPAYPR	5079268000	\$5,250.00
July 18, 2018	EPAYPR	5079268002	\$250.00
May 23, 2018	EPAYPR	4933991000	\$1,750.00
March 30, 2018	EPAYPR	4792438000	\$955.00
March 01, 2018	EPAYPR	4713843000	\$955.00
February 01, 2018	EPAYPR	4636312002	\$955.00
January 02, 2018	EPAYPR	4557946000	\$1,504.00
		<b>Receipt Total:</b>	<b>\$6,119.00</b>

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KENNETH ALAN WILLIAMS ) CHAPTER 13  
DEBTOR ) CASE NUMBER A17-68372-WLH  
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**NOTICE OF HEARING ON MOTION TO DISMISS CASE**

PLEASE TAKE NOTICE that the Chapter 13 Trustee has filed a Motion to Dismiss and related exhibits with the Court seeking an Order of Dismissal.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on **September 12, 2018 at 1:50 PM in Courtroom 1403, Richard Russell Building, 75 Ted Turner Drive, S.W., Atlanta, GA. 30303.**

Failure to appear at the hearing or failure to resolve the matter prior to the hearing may result in the dismissal of your case. You should read this motion carefully and discuss it with your attorney, if you have one in your bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the dismissal of your case, you and/or your attorney must attend the hearing unless you have settled the matter prior to the hearing.

This the 13th day of August, 2018.

/s/ \_\_\_\_\_  
Ryan J. Williams  
Attorney for the Chapter 13 Trustee  
State Bar No. 940874  
303 Peachtree Center Avenue, NE  
Suite 120  
Atlanta, GA 30303  
678-992-1201

**CERTIFICATE OF SERVICE**

Case No: A17-68372-WLH

This is to certify that I have this day served the following with a copy of the foregoing Chapter 13 Trustee's Motion to Dismiss by depositing in the United States mail a copy of same in a properly addressed envelope with adequate postage thereon.

**Debtor(s):**

KENNETH ALAN WILLIAMS  
1307 RAINTREE DRIVE  
SNELLVILLE, GA 30078

**By Consent of the parties**, the following have received an electronic copy of the foregoing Chapter 13 Trustee's Motion to Dismiss through the Court's Electronic Case Filing system.

**Attorney for the Debtor(s):**

SLIPAKOFF & SLOMKA, PC  
se@myatllaw.com

This the 13th day of August, 2018.

/s/

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Ryan J. Williams  
Attorney for the Chapter 13 Trustee  
State Bar No. 940874  
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Suite 120  
Atlanta, GA 30303  
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